

Introduced by

1 A BILL for an Act relating to a state employee telecommuting incentive program; and to provide  
2 an expiration date.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. Telecommuting incentive program for state employees.**

- 5 1. All persons employed by the state are eligible to participate in the telecommuting  
6 incentive program established by this section.
- 7 2. A state agency head may submit a proposal to the suggestion incentive committee  
8 established under section 54-06-24 to locate a state employee away from a central  
9 office setting of the agency. The proposal must be for a position that historically  
10 has been located in a central office setting within the agency. The proposal must  
11 contain a comparison of the estimated annual costs of locating the employee away  
12 from a central office setting within the agency to the annual costs of locating the  
13 employee within the agency's central office setting, including supporting  
14 documentation of the costs and estimates.
- 15 3. a. The suggestion incentive committee shall consider the proposal and  
16 determine whether:
- 17 (1) The proposal has been previously submitted and rejected.
- 18 (2) The proposal is beyond the reasonable expectations of job performance  
19 for the employee involved.
- 20 (3) The implementation of the proposal is desirable and feasible.
- 21 (4) The implementation of the proposal will continue to provide the quality  
22 of services presently provided by the employing state agency and any  
23 other state agency affected by the proposal.

b. The suggestion incentive committee shall inform the state agency head in writing of its decision on the proposal. For a proposal not approved, the committee shall include its reasons for rejecting the proposal.

c. A state agency head who submits a proposal and also is a member of the suggestion incentive committee shall abstain from voting on that agency head's proposal.

4. A state agency head who submits a proposal that is approved by the suggestion incentive committee and implemented by the state agency shall compare the actual costs directly relating to the telecommuting program for the twelve-month period beginning with the month the proposed change is instituted to the estimated costs if the program would not have been implemented. The state agency head shall submit the cost comparison to the suggestion incentive committee. Upon acceptance of the cost comparison report by the suggestion incentive committee, the state agency head is entitled to receive ten percent of any savings identified in the report as resulting from implementing the telecommuting program for the twelve-month period up to a maximum of two thousand dollars. A state agency head may receive no more than two thousand dollars under this program regardless of the number of employees that are located away from the central office setting and the total savings that result. The state employee who is located away from a central office setting of the agency is entitled to receive twenty percent of any savings identified in the report up to a maximum of two thousand dollars. The state agency head may utilize twenty percent of any savings identified in the report for providing salary increases, in addition to those approved by the legislative assembly, to employees of the agency based on merit.
5. Upon request, the suggestion incentive committee shall report to the legislative council summarizing proposals submitted to the committee, proposals approved, cost comparisons, and incentive payments provided under this section.

**SECTION 2. EXPIRATION DATE.** This Act is effective through July 31, 2003, and after that date is ineffective.